

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Angela Garner

Respondent

Civil Citation No. 89417

9903 Hoyt Circle

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 20, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-310 and 312; Baltimore County Zoning Regulations (BCZR) sections 101, 102.1 and 1B01.1: failure to remove all junk, trash and debris, and tree limbs from residential property.

On April 4, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector David Janiszewski issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The following persons appeared for the Hearing and testified: Angela Y. Garner, Respondent and sole owner of the premises and David Janiszewski, Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent lived in the house for over 11 years, and prior to this time, has had no complaints or negative history with Baltimore County Code Enforcement. The Respondent advised that she has recently had a series of financial difficulties, and that she was absent from the residence for a period of time and almost lost the house at foreclosure. The Respondent testified that someone, perhaps a neighbor, cut down a few of her trees while she was not living at the home, and that she knows they need to be removed but has not had the wherewithal to do so.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$3,000.00 (three thousand dollars).

IT IS FURTHER ORDERED that the entire \$3,000.00 civil penalty be suspended and the Respondent has 30 days from the date of this Order in which to remove all junk, trash and debris, including tree limbs from the property.

IT IS FURTHER ORDERED that the \$3,000.00 civil penalty will be imposed if the property is not brought into compliance on or before May 23, 2011.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this _____ day of April 2011

Signed: _____
John E. Beverungen
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.